

Message Text

LIMITED OFFICIAL USE

PAGE 01 USUN N 00234 282252Z
ACTION L-03

INFO OCT-01 NEA-10 IO-13 ISO-00 MCT-01 SS-15 DHA-02
CIAE-00 INR-07 NSAE-00 H-01 NSC-05 /058 W
-----291013Z 097742 /22
R 282216Z JAN 77
FM USMISSION USUN NEWYORK
TO SECSTATE WASHDC 2184
INFO AMEMBASSY TEL AVIV

LIMITED OFFICIAL USE USUN 0234

E.O. 11652: N/A
TAGS: PINS, IS, UN
SUBJ: UN CONVENTION ON CRIMES AGAINST INTERNATIONALLY
PROTECTED PERSONS

REF: TEL AVIV 609

1. WE SOMEWHAT PUZZLED BY WHAT ISRAEL TALKING ABOUT REGARDING
RECONCILING "PROVISIONS OF THIS CONVENTION WITH THOSE OF
DECLARATION OF PRINCIPLES OF INTERNATIONAL LAW CONCERNING
FRIENDLY RELATIONS". ISRAELI HESITANCY THE MORE PUZZLING
IN LIGHT OF FACT THAT TREATY IN QUESTION HAS BEEN RIGHTLY
HAILED AS ONE OF THE INTERNATIONAL COMMUNITY'S FEW
SUCCESSFUL EFFORTS TO RESPOND TO THE TERRORISM PROBLEM.
IT'S POTENTIAL FOR PROTECTION OF ALL DIPLOMATS AND ITS
EXTRADITION PROVISIONS WHICH WOULD FACILITATE ANY ISRAELI
EFFORT TO OBTAIN EXTRADITION TO ISRAEL OF ANY WHO ASSAULT
AN "INTERNATIONALLY PROTECTED PERSON" WOULD SEEM TO US
FURTHER IMPORTANT REASONS WHY ISRAEL WOULD BE ANXIOUS
TO BECOME A CONTRACTING STATE.

2. SINCE THERE NOTHING IN THE "PROVISIONS OF THIS CONVENTION"
WHICH COULD BY ANY STRETCH OF IMAGINATION CONFLICT
WITH THE FRIENDLY RELATIONS DECLARATION, WE HAZARD
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 00234 282252Z

THE GUESS THE ISRAELIS HAVE CONCOCTED THEIR CONCERN ON BASIS
OF GENERAL ASSEMBLY RESOLUTION 3166(XXVIII) WHICH CONSTITUTED
THE FORMAL ACT OF ADOPTING THE CONVENTION. THE RESOLUTION
CONTAINS THE FOLLOWING FOURTH OPERATIVE PARAGRAPH:

"RECOGNIZES ALSO THAT THE PROVISIONS OF THE ANNEXED
CONVENTION COULD NOT IN ANY WAY PREJUDICE THE EXERCISE

OF THE LEGITIMATE RIGHT TO SELF-DETERMINATION AND INDEPENDENCE, IN ACCORDANCE WITH THE PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND THE DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS, BY PEOPLES STRUGGLING AGAINST COLONIALISM, ALIEN DOMINATION, FOREIGN OCCUPATION, RACIAL DISCRIMINATION AND APARTHEID;"

3. WHILE THIS PARAGRAPH CONTAINS LANGUAGE WHICH THE ISRAELIS MAY REGARD AS HOSTILE CODE WORDS, IT IS DRAFTED SO AS TO ENSURE ITS CONFORMITY WITH THE FRIENDLY RELATIONS DECLARATION AND THE UN CHARTER. THE US CONSIDERS THAT THIS RESOLUTION DOES NOT RPT DOES NOT MITIGATE OR OTHERWISE AFFECT THE RIGHTS AND OBLIGATIONS OF STATES THAT BECOME PARTIES TO THE CONVENTION.

4. DEPARTMENT MAY WISH TO SUGGEST EMBASSY TEL AVIV REOPEN MATTER WITH GOI AND URGE THEY RECONSIDER THEIR ATTITUDE AND JOIN US IN BECOMING CONTRACTING STATE TO THIS ANTI-TERRORISM CONVENTION. IN THIS CONTEXT FOLLOWING PARAGRAPH FROM US STATEMENT IN UNGA PLENARY BY AMBASSADOR BENNETT AT TIME CONVENTION ADOPTED MIGHT BE HELPFUL:

"SINCE THE ASSEMBLY DID SUCH EXCELLENT WORK IN COMPLETING THE CONVENTION, WE WERE PLEASED TO VOTE IN FAVOR OF THE RESOLUTION WHICH CONSTITUTES THE FORMAL ACT OF ADOPTION OF THE CONVENTION. SUCH A RESOLUTION LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 USUN N 00234 282252Z

CONSTITUTES THE PROCEDURAL STEP BY WHICH THE INTERNATIONAL COMMUNITY, WHETHER OPERATING IN THE CONTEXT OF THE GENERAL ASSEMBLY OR A DIPLOMATIC CONFERENCE SPECIALLY CONVENED FOR THE PURPOSE, CONCLUDES ITS LEGISLATIVE ACTIONS. WHILE THIS RESOLUTION CONTAINS SOME PARAGRAPHS WHICH WE WOULD NOT HAVE CONSIDERED NECESSARY, WE NEVERTHELESS SEE NO PARTICULAR HARM IN THEIR INCLUSION SINCE THEY DO NOT PURPORT TO IMPINGE -- AND OF COURSE CANNOT IMPINGE -- UPON THE CONVENTION. ONE SUCH PARAGRAPH RESTATED PROPOSITIONS WE WERE ALL PLEASED TO ACCEPT IN THE AUTHORITATIVE FRIENDLY RELATIONS DECLARATION AT THE 25TH SESSION. IT IS PERHAPS ALWAYS USEFUL TO RECOGNIZE FUNDAMENTAL HUMAN RIGHTS, INCLUDING THE LEGITIMATE EXERCISE OF THE RIGHT OF SELF-DETERMINATION IN ACCORDANCE WITH THE CHARTER."

SHERER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, CRIMES, FOREIGN POLICY POSITION, DIPLOMATIC PERSONNEL, POLICE PROTECTION RIGHTS
Control Number: n/a
Copy: SINGLE
Sent Date: 28-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977USUNN00234
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770032-1078
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977016/aaaaafbd.tel
Line Count: 113
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 825f70da-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 TEL AVIV 609
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3617456
Secure: OPEN
Status: NATIVE
Subject: UN CONVENTION ON CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS
TAGS: PINS, IS, UN
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/825f70da-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009